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Attorneys for Plaintiff  
**EYESPY CRITIQUING & CONSULTING CORPORATION**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)

EYESPY CRITIQUING &  
CONSULTING CORPORATION,  
a California corporation,

Plaintiff,

vs.

EYE SPY SPOTTER SERVICES INC.,  
an Arizona corporation,

and

MICHAEL ZENNER,  
An individual,

Defendants.

Case No.: 3:14-cv-01846-JCS

**STIPULATION AND ~~[PROPOSED]~~  
ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, and pursuant to a settlement reached by and between the Parties to the above-entitled action, which is reflected in a confidential written settlement agreement, Plaintiff Eyespy Critiquing & Consulting Corporation and Defendants Eye Spy Spotter Services, Inc. and Michael Zenner (the "Parties"), by and through their counsel of record, hereby stipulate and agree that the above-entitled action shall be, and hereby is, DISMISSED WITHOUT PREJUDICE. Each of the Parties shall bear his or its own attorneys' fees and costs.

The Court shall retain jurisdiction to enforce the Parties' settlement.

**IT IS SO STIPULATED.**

Dated: July 29, 2014

Respectfully submitted,

NIXON PEABODY LLP

/s/ Robert A. Weikert

Robert A. Weikert  
Attorneys for Plaintiff  
Eyespy Critiquing & Consulting Corporation

Dated: July 25, 2014

BELVEDERE LEGAL, PC

/s/ Matthew D. Metzger

Matthew D. Metzger  
Attorneys for Defendants  
Eye Spy Spotter Services, Inc. and  
Michael Zenner

**GENERAL ORDER 45 CERTIFICATION**

I, Robert A. Weikert, hereby attest pursuant to N.D. Cal. General Order No. 45 that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: July 29, 2014

NIXON PEABODY LLP

/s/ Robert A. Weikert

Robert A. Weikert  
Attorneys for Plaintiff  
Eyespy Critiquing & Consulting Corporation

**ORDER**

Plaintiff Eyespy Critiquing & Consulting Corporation and Defendants Eye Spy Spotter Services, Inc. and Michael Zenner, being all of the parties of record in this action, having reached a settlement which is reflected in a confidential written settlement agreement, and having stipulated by and through their counsel of record, and the Court having accepted the stipulation of the parties,

IT IS HEREBY ORDERED that the above-entitled action shall be, and hereby is, DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that each of the parties shall bear his or its own attorneys' fees and costs, and that the Court shall retain jurisdiction to enforce the settlement.

IT IS SO ORDERED.

Dated: 7/29 2014

